

# **EXHIBIT A**



**IN THE CIRCUIT COURT FOR THE TWENTY-THIRD  
JUDICIAL CIRCUIT OF MADISON COUNTY, ALABAMA**

LEWIS DECARLO,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action:
	)	
RELIANCE STANDARD LIFE	)	
INSURANCE COMPANY, an	)	
Insurance corporation, MATRIX	)	
ABSENCE MANAGEMENT, INC, a	)	
Corporation, and DOLGENCORP	)	
LLC, successor to Dollar General	)	
Corporation,	)	
	)	
Defendants.	)	

**COMPLAINT**

1. The Plaintiff is Lewis DeCarlo who is a resident of Huntsville, Madison County, Alabama and is over the age of 19 and is of sound mind.
2. The Defendants are Reliance Standard Life Insurance Company which is an insurance corporation, Matrix Absence Management, Inc., a corporation, and DolGenCorp, LLC, which was previously Dollar General Corporation and continues to operate as Dollar General and is the successor corporation to Dollar General Corporation.
3. The Defendant Reliance Standard Life Insurance Company is qualified and licensed to sell insurance in the State of Alabama and in Madison County, Alabama and to engage in activities related to the sale of insurance and determining whether

to grant or deny claims filed with respect to such insurance policies and does sell insurance policies in Madison County, Alabama.

4. The Defendant Matrix Absence Management, Inc, a corporation, is qualified to do business in the State of Alabama and acted as the claims administrator for the Defendant Reliance Standard Life Insurance Company in this matter and does act as claims administrator for insurance policies sold by the Defendant Reliance Standard Life Insurance Company in Madison County, Alabama.

5. The Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation, employed the Plaintiff as a District Manager for the Dollar General stores that are located in North Alabama.

6. The Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation, operates multiple stores under the name of Dollar General in Madison County, Alabama. Venue is proper in Madison County, Alabama.

7. The Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation, is the named Policyholder of the Long Term Disability Insurance policy that insured the employees of DolGenCorp, LLC, the successor corporation to Dollar General Corporation, for disability benefits in the event that an employee became disabled.

8. The Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation, is the policyholder and/or Plan Administrator under the terms of the

Long Term Disability Insurance policy and responsible for administering the Long Term Disability Insurance policy for its employees.

9. The Defendant Reliance Standard Life Insurance Company issued the Long Term Disability Insurance policy to the Dollar General Corporation on December 1, 2009 as the policyholder but the policy provides disability insurance coverage to the employees of DolGenCorp, LLC, the successor corporation to Dollar General Corporation.

10. The Plaintiff as a District Manager is a Class 1 employee under the terms of the Long Term Disability insurance policy as he is an exempt employee as defined by the definition of Eligible Classes in the Schedule of Benefits section of the Long Term Disability Insurance policy, specifically the Plaintiff was a salaried employee and did not receive and was not eligible for overtime or other wage supplements.

11. The Plaintiff filed a claim for Long Term Disability benefits with the Defendant Reliance Standard Life Insurance Company stating that he became disabled as of September 25, 2018 and his last date of work for the Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation, was October 16, 2018.

12. The Plaintiff suffers from multiple medical conditions that prevent him from performing his occupation as a District Manager for the Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation including but not limited to post fusion surgery at L5-S1 with a TLIF resulting in increased stenosis

at the lateral recess and neural foramina at L4-5, increased cervical lordosis with cervical and thoracic paraspinal muscle tender points, advanced degenerative changes at L5-S1 with associated right foraminal stenosis and L5 nerve root radiculopathy, L4-L5 anterolisthesis, and severe pain that has not been controlled with medications, injections and surgeries.

13. The medical conditions that the Plaintiff suffers result in functional limitations of poor motor control, poor hip mobility, difficulty standing, difficulty sitting for long periods, difficulty driving, and difficulty lifting.

14. The Plaintiff's medical conditions and his functional limitations have prevented him from being able to drive more than thirty minutes and to lift without "crippling" pain and both activities are material duties of the Plaintiff's occupation as a District Manager for the Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation.

15. The Plaintiff's treating neurosurgeon is of the opinion that the Plaintiff can no longer perform his job as District Manager for DolGenCorp, LLC, the successor corporation to Dollar General Corporation.

16. An examining physician, Dr. Anderson, stated that the Plaintiff was "100% disability" subject to revaluation in April, 2021.

17. The Long Term Disability insurance policy defines disability for Class 1 employees of DolGenCorp, LLC, the successor corporation to Dollar General

Corporation, as “CLASS 1: ‘Totally Disabled’ and “Total Disability” mean, that as a result of an injury or Sickness, during the Elimination Period and thereafter an insured cannot perform the material duties of his/her Regular Occupation.”

18. The Plaintiff’s salary with the Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation, was Ninety Thousand One Hundred Seventy Seven Dollars (\$90,177.00) annually.

19. The Long Term Disability Insurance Policy provides that benefits shall not begin until an elimination period of One Hundred and Eighty days has been completed which would have been completed in this matter on April 13, 2019.

20. The Long Term Disability insurance plan also provides that the benefit to be paid to Class 1 eligible employees of DolGenCorp, LLC, the successor corporation to Dollar General Corporation is Sixty Percent (60%) of Covered Monthly Earnings.

21. The Plaintiff’s Covered Monthly Earnings equals one-twelfth of his annual salary of \$90,177.00 which is \$7,514.75 per month.

22. The Long Term Disability Insurance policy benefit would be sixty percent of \$7,514.75 per month or \$4,508.85 per month.

23. The Defendants did deny Long Term Disability benefits to the Plaintiff by a decision dated May 13, 2019 that was issued by the Defendant Matrix Absence Management.

24. The Plaintiff did file an appeal with the Defendants of the denial of the Long



Term Disability benefits decision issued on May 13, 2019 and that appeal was filed with the Defendants.

25. On August 22, 2019, the Defendants did deny Long Term Disability benefits to the Plaintiff by a decision issued by the Defendant Reliance Standard Life Insurance Company.

26. The Plaintiff has been and continues to be under the regular care and treatment of multiple physicians since he was unable to continue to work after October 16, 2018.

27. The Defendants denial of Long Term Disability benefits under the terms of the policy that was issued to DolGenCorp, LLC, the successor corporation to Dollar General Corporation, as the Policyholder and administrator of the policy on August 22, 2019 was a final decision from the Defendants and there remain no further appeals or reviews with the Defendants that the Plaintiff can receive under the terms of the Long Term Disability policy.

28. The denial of benefits by the Defendants under the terms of the Long Term Disability insurance policy that provides long term disability benefits to the employees of DolGenCorp, LLC, the successor corporation to Dollar General Corporation, was a breach of the terms of the Long Term Disability insurance policy.

29. The Schedule of Benefits of the Long Term Disability insurance policy provides that long term disability benefits shall be paid to a Class 1 employee of DolGenCorp,

LLC, the successor corporation to Dollar General Corporation, who becomes disabled under the terms of the policy until age sixty-five (65).

30. The Plaintiff will reach age sixty-five on August 11, 2027.

31. As a proximate consequence of the breach of the terms of the Long Term Disability insurance policy and the refusal to pay Long Term Disability insurance benefits to the Plaintiff, the Plaintiff has suffered the loss of long term disability benefits payments from April 13, 2019 to the present date and continuing into the future until August 11, 2027 at the rate of \$4,508.85 per month.

32. The Long Term Disability insurance policy provides that it shall be construed under the laws of the State of Tennessee and the State of Tennessee allows for pre-judgment interest on written contracts at the rate of ten per cent per annum.

33. The Plaintiff has met all the conditions precedent under the terms of the Long Term Disability insurance policy and the Plaintiff has exhausted all administrative remedies that are available under the terms of the Long Term Disability insurance policy issued by the Defendant Reliance Standard Life Insurance Company.

34. The Long Term Disability insurance policy issued by the Defendant Reliance Standard Life Insurance Company and agreed to by the Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation, does not contain any provision that provides that any of the Defendants in this matter have the discretionary authority to determine eligibility for benefits or to construe the terms

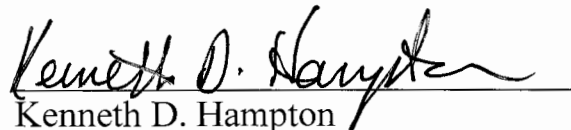


of the Long Term Disability insurance policy.

35. The Long Term Disability insurance policy issued by the Defendant Reliance Standard Life Insurance Company to the Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation, as policyholder to provide long term disability benefits is a contract to pay insurance benefits to Class 1 employees of the Defendant DolGenCorp, LLC, the successor corporation to Dollar General Corporation, and not a trust document.

Wherefore, the Plaintiff demands a judgment against the Defendants for all of the benefits that have accrued under the terms of the policy together with the statutory pre-judgment interest of ten per cent per annum, and for the payment of all benefits are that due under the terms of the policy in the future whether these damages are termed as actual, compensatory, or some other damage, attorney fees, costs and such other, further and different relief as this Court deems just, proper and equitable.

Date: August 7, 2020



Kenneth D. Hampton

Attorney for Plaintiff

Attorney ID: HAM033

2004 Poole Drive, Suite A

Huntsville, AL 35810

Telephone: 256-859-8900

Fax: 256-859-8853

Email: [kenhampton@hiwaay.net](mailto:kenhampton@hiwaay.net)

Attorney Initiated Certified Mail Service:

[1]

Reliance Standard Life Insurance Company  
c/o CT Corporation System, Registered Agent  
2 North Jackson Street, Suite 605  
Montgomery, AL 36104

[2]

Matrix Absence Management Inc  
c/o CT Corporation System, Registered Agent  
2 North Jackson Street, Suite 605  
Montgomery, AL 36104

[3]

DolGenCorp, LLC, the successor corporation to Dollar General Corporation,  
c/o Corporation Service Company, Registered Agent  
641 South Lawrence Street  
Montgomery, AL 36104



**IN THE CIRCUIT COURT FOR THE TWENTY-  
JUDICIAL CIRCUIT OF MADISON COUNTY, ALABAMA**

LEWIS DECARLO,

Plaintiff,

vs.

RELIANCE STANDARD LIFE  
INSURANCE COMPANY, an  
Insurance corporation, MATRIX  
ABSENCE MANAGEMENT, INC, a  
Corporation, and DOLGENCORP  
LLC, successor to Dollar General  
Corporation,

Defendants.

Civil Action: 47-CV-2020-901118

**Plaintiff's First Notice Identifying Discovery Materials**

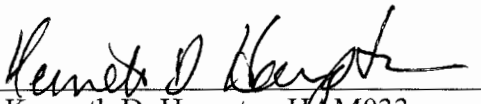
Pursuant to the Standing Order of this Court as it pertains to discovery materials and Alabama Rule of Civil Procedure 5(d), please take notice that the following itemized discovery documents have been filed in this action and the originals of such documents are being retained by the Plaintiff's attorney as Custodian and that such itemized discovery documents are or will be served pursuant to Alabama Rule of Civil Procedure 4 with the Summons and Complaint in this matter:

[1] Plaintiff's First Request for Production of Documents, etc, to Defendant Reliance Standard Life Insurance Company.

[2] Plaintiff's First Request for Production of Documents, etc, to Defendant Matrix Absence Management, Inc.

[3] Plaintiff's First Request for Production of Documents, etc, to Defendant DolGenCorp, LLC.

Date: August 7, 2020

  
Kenneth D. Hampton HAM033

Attorney for Plaintiff  
Suite A, 2004 Poole Drive  
Huntsville, Alabama 35810  
Telephone: 256-859-8900  
Fax: 256-859-8853  
Email: kenhampton@hiwaay.net

**STATE OF ALABAMA**

Revised 3/5/08

**Cas**

ELECTRONICALLY FILED

8/7/2020 11:40 AM

47-CV-2020-901118.00

CIRCUIT COURT OF

MADISON COUNTY, ALABAMA

DEBRA KIZER, CLERK

Unified Judicial System

47-MADISON

☐ District Court
 ☒ Circuit Court

CV20

LEWIS DECARLO V. RELIANCE STANDARD LIFE  
INSURANCE COMPANY ET AL**CIVIL MOTION COVER SHEET**

Name of Filing Party: C001 - DECARLO LEWIS

Name, Address, and Telephone No. of Attorney or Party. If Not Represented.

 KENNETH D HAMPTON  
 SUITE A, 2004 POOLE DRIVE  
 HUNTSVILLE, AL 35810

Attorney Bar No.: HAM033

☐ Oral Arguments Requested
**TYPE OF MOTION****Motions Requiring Fee**

- ☐ Default Judgment (\$50.00)  
 Joinder in Other Party's Dispositive Motion  
☐ (i.e. Summary Judgment, Judgment on the Pleadings,  
 or other Dispositive Motion not pursuant to Rule 12(b))  
 (\$50.00)  
☐ Judgment on the Pleadings (\$50.00)  
☐ Motion to Dismiss, or in the Alternative  
 Summary Judgment (\$50.00)  
 Renewed Dispositive Motion (Summary  
☐ Judgment, Judgment on the Pleadings, or other  
 Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)  
☐ Summary Judgment pursuant to Rule 56 (\$50.00)  
☐ Motion to Intervene (\$297.00)  
☐ Other \_\_\_\_\_  
 pursuant to Rule \_\_\_\_\_ (\$50.00)

\*Motion fees are enumerated in §12-19-71(a). Fees  
 pursuant to Local Act are not included. Please contact the  
 Clerk of the Court regarding applicable local fees.

☐ Local Court Costs \$ 0 \_\_\_\_\_
**Motions Not Requiring Fee**

- ☐ Add Party  
☐ Amend  
☐ Change of Venue/Transfer  
☐ Compel  
☐ Consolidation  
☐ Continue  
☐ Deposition  
☐ Designate a Mediator  
☐ Judgment as a Matter of Law (during Trial)  
☐ Disburse Funds  
☐ Extension of Time  
☐ In Limine  
☐ Joinder  
☐ More Definite Statement  
☐ Motion to Dismiss pursuant to Rule 12(b)  
☐ New Trial  
☐ Objection of Exemptions Claimed  
☐ Pendente Lite  
☐ Plaintiff's Motion to Dismiss  
☐ Preliminary Injunction  
☐ Protective Order  
☐ Quash  
☐ Release from Stay of Execution  
☐ Sanctions  
☐ Sever  
☐ Special Practice in Alabama  
☐ Stay  
☐ Strike  
☐ Supplement to Pending Motion  
☐ Vacate or Modify  
☐ Withdraw  
☒ Other Plaintiff Request for Certified Mail  
 Service Attorney Initiated \_\_\_\_\_  
 pursuant to Rule Rule 4(i)(2)(B)(ii) (Subject to Filing Fee)

Check here if you have filed or are filing contemporaneously  
 with this motion an Affidavit of Substantial Hardship or if you  
 are filing on behalf of an agency or department of the State,  
 county, or municipal government. (Pursuant to §6-5-1 Code  
 of Alabama (1975), governmental entities are exempt from  
 prepayment of filing fees) ☐

 Date:  
 8/7/2020 11:39:20 AM

 Signature of Attorney or Party  
 /s/ KENNETH D HAMPTON

\*\*Motions titled 'Motion to Dismiss' that are not pursuant to Rule 12(b) and are in fact Motions for Summary Judgments are subject to filing fee.



**IN THE CIRCUIT COURT FOR THE TWENTY  
JUDICIAL CIRCUIT OF MADISON COUNTY, ALABAMA**

LEWIS DECARLO,

Plaintiff,

vs.

Civil Action: 47-CV-2020-901118

RELIANCE STANDARD LIFE  
INSURANCE COMPANY, an  
Insurance corporation, MATRIX  
ABSENCE MANAGEMENT, INC, a  
Corporation, and DOLGENCORP  
LLC, successor to Dollar General  
Corporation,

Defendants.

**Plaintiff Requests Certified Mail Service on the Defendants**

Comes now the Plaintiff pursuant to Alabama Rule of Civil Procedure 4 and Alabama Rule of Civil Procedure 4(i)(2)(B)(ii) permitting attorney initiated service and requests that certified mail service of the Summons and Complaint in this matter be made on the Defendants, return receipt requested, by serving the Defendant as follows using attorney initiated service:

[1] Reliance Standard Life Insurance Company, c/o CT Corporation System, Registered Agent, 2 North Jackson Street, Suite 605, Montgomery, AL 36104

[2] Matrix Absence Management Inc, c/o CT Corporation System, Registered Agent  
2 North Jackson Street, Suite 605, Montgomery, AL 36104

[3] DolGenCorp, LLC, the successor corporation to Dollar General Corporation,  
c/o Corporation Service Company, Registered Agent, 641 South Lawrence Street  
Montgomery, AL 36104

Date: August 7, 2020

Kenneth D. Hampton WAM033

Attorney for Plaintiff

Suite A, 2004 Poole Drive

Huntsville, Alabama 35810

Telephone: 256-859-8900

Fax: 256-859-8853

Email: [kenhampton@hiwaay.net](mailto:kenhampton@hiwaay.net)





**IN THE CIRCUIT COURT FOR THE TWENTY-THIRD  
JUDICIAL CIRCUIT OF MADISON COUNTY, ALABAMA**

LEWIS DECARLO,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action: <u>47-CV-2020-901118</u>
	)	
RELIANCE STANDARD LIFE	)	
INSURANCE COMPANY, an	)	
Insurance corporation, MATRIX	)	
ABSENCE MANAGEMENT, INC, a	)	
Corporation, and DOLGENCORP	)	
LLC, successor to Dollar General	)	
Corporation,	)	
	)	
Defendants.	)	

**Affidavit of Certified Mailing of Process and Complaint**

Comes now the attorney for the Plaintiff pursuant to Alabama Rule of Civil Procedure 4(i)(2)(B)(ii) and after first being given an affirmation to speak the truth does depose and state:

I, Kenneth D. Hampton, did on August 7, 2020 initiate certified mail service by placing a filed copy of the Summons and Complaint, issued by the Clerk of the below designated Court on August 7, 2020, together with Plaintiff's Request for Production to the Defendant Reliance Standard Life Insurance Company, Matrix Absence Management Inc, and DolGenCorp, LLC in the United States mail, certified mail with return receipt, copies of the return receipts being attached hereto, and with postage prepaid to the following persons, corporations, governmental entities, or other entities:

<u>Entity Served</u>	<u>Certified Mail Number</u>
[1] Reliance Standard Life Insurance Company c/o CT Corporation System, Registered Agent 2 North Jackson Street, Suite 605 Montgomery, AL 36104	7018 1130 0001 3371 9942

[2]

Matrix Absence Management Inc  
c/o CT Corporation System, Registered Agent  
2 North Jackson Street, Suite 605  
Montgomery, AL 36104

7011 2970 0000 4991 4916

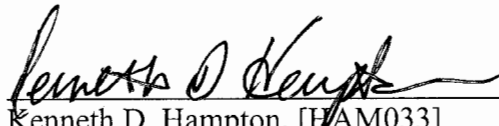
[3]

DolGenCorp, LLC, the successor corporation to  
Dollar General Corporation,  
c/o Corporation Service Company, Registered Agent  
641 South Lawrence Street  
Montgomery, AL 36104

7011 2970 0000 4991 4923

I have further caused the originals of the return receipts to be returned to the Circuit Court Clerk of Madison County, Alabama whose address is: Circuit Court Clerk, Civil, Madison County Courthouse, 100 North Side Square, Huntsville, Alabama, 35801-4280 with the return receipts showing the following case number: 47-CV-2020-901118. I have personal knowledge of the facts stated in this affidavit and they are true and correct.

Date: August 7, 2020

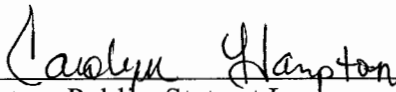


Kenneth D. Hampton, [HAM033]  
Attorney For Plaintiff/Appellant  
Suite A  
2004 Poole Drive  
Huntsville, Al 35810  
Telephone: 256-859-8900  
Fax: 256-859-8853  
E-Mail: kenhampton@hiwaay.net

State of Alabama)  
County of Madison)

**Notary Public**

Before me personally appeared the above and foregoing Kenneth D. Hampton, Attorney, and after first making himself known to me, and after first providing proof that he is a natural born citizen of the United States of America and after first being given an affirmation to speak the truth, he did in my presence, attest and affirm the above and foregoing Affidavit of Certified Mailing of Process and Complaint on this the 7th day of August, 2020.

  
\_\_\_\_\_  
Notary Public, State at Large

My Commission Expires on: April 9, 2023

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature</p> <p><b>X</b> <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p>	
<p>1. Article Addressed to:</p> <p>Reliance Standard Life Insurance Company c/o CT Corporation System, Registered Agent 2 North Jackson Street, Suite 605 Montgomery, AL 36104</p>		<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery</p>
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>9590 9402 4958 9063 7249 88</p> <p>7018 1130 0001 3371 9942</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

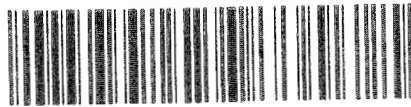
USPS TRACKING #		First-Class Mail Postage & Fees Paid USPS Permit No. G-10	
<p>9590 9402 4958 9063 7249 88</p>			
<p>United States Postal Service</p>		<p>• Sender: Please print your name, address, and ZIP+4® in this box•</p> <p>Circuit Court Clerk, Civil Madison County Courthouse 100 North Side Square Huntsville, AL 35801-4280</p>	
		<p>Civil Action: 47-CV-2020-901118</p>	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature <b>X</b></p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>
<p>1. Article Addressed to:</p> <p>Matrix Absence Management Inc c/o CT Corporation System, Registered Agent 2 North Jackson Street, Suite 605 Montgomery, AL 36104</p>	<p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p>
<p>2. Article Number (Manufacture's identification)</p> <p>9590 9402 4958 9063 7249 95</p> <p>7011 2970 0000 4991 4916</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes "YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p> <p>Domestic Return Receipt</p>	

USPS TRACKING#	
<p>9590 9402 4958 9063 7249 95</p>	<p>First-Class Mail Postage &amp; Fees Paid USPS Permit No. G-10</p>
<p>United States Postal Service</p>	<p>• Sender: Please print your name, address, and ZIP+4® in this box•</p> <p>Circuit Court Clerk, Civil Madison County Courthouse 100 North Side Square Huntsville, AL 35801-4280</p>
<p>Civil Action: 47-CV-2020-901118</p>	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
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<p>1. Article Addressed to:</p> <p>DolGenCorp, LLC, the successor corporation to Dollar General Corporation, c/o Corporation Service Company, Registered Agent 641 South Lawrence Street Montgomery, AL 36104</p>		<p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7011 2970 0000 4991 4923</p>		<p>address different from item 1? <input type="checkbox"/> Yes or delivery address below: <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>		<p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>		<p>Domestic Return Receipt</p>	

USPS TRACKING #



9590 9402 4958 9063 7249 71

United States  
Postal Service

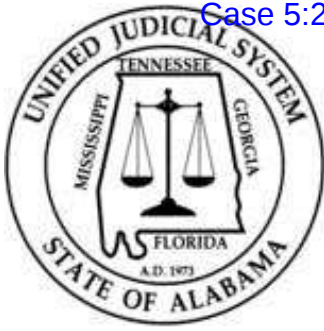
• Sender: Please print your name, address, and ZIP+4® in this box\*

Circuit Court Clerk, Civil  
Madison County Courthouse  
100 North Side Square  
Huntsville, AL 35801-4280

Civil Action: 47-CV-2020-901118

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10





## AlaFile E-Notice

47-CV-2020-901118.00

Judge: JAMES P. SMITH

To: HAMPTON KENNETH DEWAYNE  
kenhampton@hiwaay.net

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## NOTICE OF SERVICE

---

IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA

LEWIS DECARLO V. RELIANCE STANDARD LIFE INSURANCE COMPANY ET AL  
47-CV-2020-901118.00

The following matter was served on 8/10/2020

**D003 DOLGENCORP LLC, C/O CORPORATION SERVICE COMPANY**

**Corresponding To**  
CERTIFIED MAIL

DEBRA KIZER  
CIRCUIT COURT CLERK  
MADISON COUNTY, ALABAMA  
MADISON COUNTY, ALABAMA  
100 NORTHSIDE SQUARE  
HUNTSVILLE, AL, 35801

256-532-3390

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: \_\_\_\_\_

DolGenCorp, LLC, the successor corporation to  
Dollar General Corporation,  
c/o Corporation Service Company, Registered Agent  
641 South Lawrence Street  
Montgomery, AL 36104

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☒ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

8-10-20

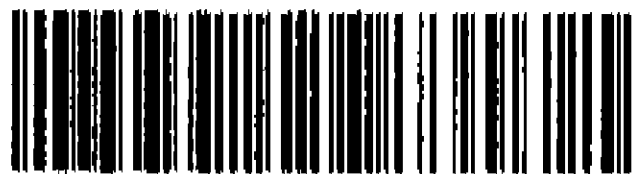
address different from item 1? ☐ Yes  
or delivery address below: ☐ No

**FILED IN OFFICE****AUG 13 2020**

DEBRA KIZER

Clerk, Circuit Court Madison Co., AL

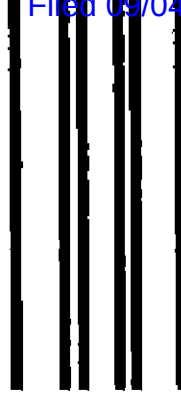
3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☒ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery  
(over \$500)☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted  
Delivery☒ Return Receipt for  
Merchandise☐ Signature Confirmation™☐ Signature Confirmation  
Restricted Delivery

9590 9402 4958 9063 7249 71

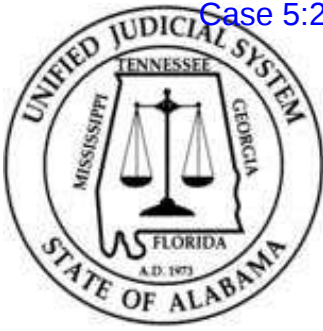
2. Article Number (Transfer from carrier label)

7011 2970 0000 4991 4923

**USPS TRACKING®**  
**NO POSTAGE****First-Class Mail**  
**Postage & Fees Paid**  
**USPS**  
**Permit No. G-10****9590 9402 4958 9063 7249 71****United States**  
**Postal Service****\* Sender: Please print your name, address, and ZIP+4® in this box\***

Circuit Court Clerk, Civil  
Madison County Courthouse  
100 North Side Square  
Huntsville, AL 35801-4280

**Civil Action: 47-CV-2020-901118**



## AlaFile E-Notice

47-CV-2020-901118.00

Judge: JAMES P. SMITH

To: HAMPTON KENNETH DEWAYNE  
kenhampton@hiwaay.net

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# NOTICE OF SERVICE

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IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA

LEWIS DECARLO V. RELIANCE STANDARD LIFE INSURANCE COMPANY ET AL  
47-CV-2020-901118.00

The following matter was served on 8/10/2020

**D001 RELIANCE STANDARD LIFE INSURANCE COMPANY**

**Corresponding To**  
CERTIFIED MAIL

DEBRA KIZER  
CIRCUIT COURT CLERK  
MADISON COUNTY, ALABAMA  
MADISON COUNTY, ALABAMA  
100 NORTHSIDE SQUARE  
HUNTSVILLE, AL, 35801

256-532-3390

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Reliance Standard Life Insurance Company  
c/o CT Corporation System, Registered Agent  
2 North Jackson Street, Suite 605  
Montgomery, AL 36104

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Debra Kizer* *Debra Kizer* ☐ Agent ☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

AUG 10 2020

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

**FILED IN OFFICE**

**AUG 14 2020**

DEBRA KIZER



9590 9402 4958 9063 7249 88

7018 1130 0001 3371 9942

3. Service Type

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®                    | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input checked="" type="checkbox"/> Return Receipt for Merchandise  |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |   |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |   |

USPS TRACKING



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 4958 9063 7249 88

United States  
Postal Service

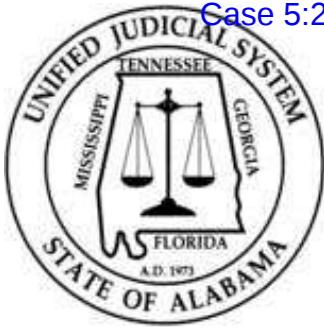
\* Sender, Please print your name, address, and ZIP+4® in this box\*

Circuit Court Clerk, Civil  
Madison County Courthouse  
100 North Side Square  
Huntsville, AL 35801-4280

Civil Action: 47-CV-2020-901118







## AlaFile E-Notice

47-CV-2020-901118.00

Judge: JAMES P. SMITH

To: HAMPTON KENNETH DEWAYNE  
kenhampton@hiwaay.net

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# NOTICE OF SERVICE

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IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA

LEWIS DECARLO V. RELIANCE STANDARD LIFE INSURANCE COMPANY ET AL  
47-CV-2020-901118.00

The following matter was served on 8/10/2020

**D002 MATRIX ABSENCE MANAGEMENT INC**

**Corresponding To**  
CERTIFIED MAIL

DEBRA KIZER  
CIRCUIT COURT CLERK  
MADISON COUNTY, ALABAMA  
MADISON COUNTY, ALABAMA  
100 NORTHSIDE SQUARE  
HUNTSVILLE, AL, 35801

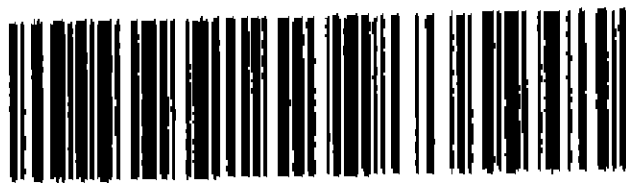
256-532-3390

**SENDER: COMPLETE THIS SECTION**

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Matrix Absence Management Inc  
 c/o CT Corporation System, Registered Agent  
 2 North Jackson Street, Suite 605  
 Montgomery, AL 36104



9590 9402 4958 9063 7249 95

7011 2970 0000 4991 4916

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Jennifer A. Wood

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

AUG 10 2020

D. Is delivery address different from Item 1?

☐ Yes

"YES, enter delivery address below:

☐ No

FILED IN OFFICE

AUG 14 2020

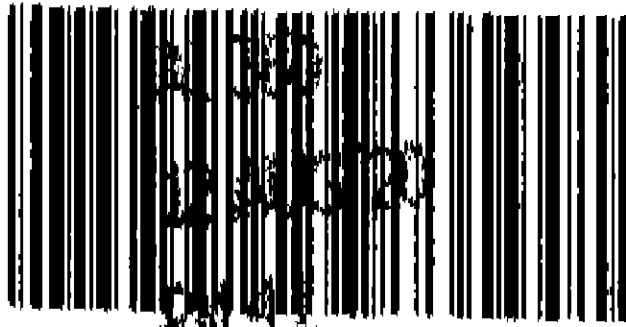
3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery

XX Certified Mail®

☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery  
(over \$500)☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted  
DeliveryXX Return Receipt for  
Merchandise☐ Signature Confirmation™☐ Signature Confirmation  
Restricted Delivery

USPS TRACKING



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 4958 9063 7249 95

United States  
Postal Service

\* Sender: Please print your name, address, and ZIP+4® in this box\*

Circuit Court Clerk, Civil  
Madison County Courthouse  
100 North Side Square  
Huntsville, AL 35801-4280

Civil Action: 47-CV-2020-901118





ELECTRONICALLY FILED  
8/14/2020 2:59 PM  
47-CV-2020-901118.00  
CIRCUIT COURT OF  
MADISON COUNTY, ALABAMA  
DEBRA KIZER, CLERK

**IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA**

DECARLO LEWIS,	)	
Plaintiff,	)	
	)	
V.	)	Case No.: CV-2020-901118.00
	)	
RELIANCE STANDARD LIFE	)	
INSURANCE COMPANY,	)	
MATRIX ABSENCE MANAGEMENT	)	
INC,	)	
DOLGENCORP LLC, C/O	)	
CORPORATION SERVICE COMPANY,	)	
Defendants.	)	

**ORDER**

PLAINTIFF REQUEST FOR CERTIFIED MAIL SERVICE ATTORNEY INITIATED filed by DECARLO LEWIS is MOOT. Service has been perfected on all defendants.

**DONE this 14<sup>th</sup> day of August, 2020.**

**/s/ JAMES P. SMITH**  
\_\_\_\_\_  
**CIRCUIT JUDGE**

**STATE OF ALABAMA**

Revised 3/5/08

**Cas**

Unified Judicial System

47-MADISON

☐ District Court ☒ Circuit Court

CV20



ELECTRONICALLY FILED  
9/4/2020 2:27 PM  
47-CV-2020-901118.00  
CIRCUIT COURT OF  
MADISON COUNTY, ALABAMA  
DEBRA KIZER, CLERK

LEWIS DECARLO V. RELIANCE STANDARD LIFE  
INSURANCE COMPANY ET AL**CIVIL MOTION COVER SHEET**

Name of Filing Party: C001 - DECARLO LEWIS

Name, Address, and Telephone No. of Attorney or Party. If Not Represented.

KENNETH D HAMPTON  
SUITE A, 2004 POOLE DRIVE  
HUNTSVILLE, AL 35810

Attorney Bar No.: HAM033

☐ Oral Arguments Requested**TYPE OF MOTION****Motions Requiring Fee**

- ☐ Default Judgment (\$50.00)  
Joinder in Other Party's Dispositive Motion  
(i.e. Summary Judgment, Judgment on the Pleadings,  
or other Dispositive Motion not pursuant to Rule 12(b))  
(\$50.00)
- ☐ Judgment on the Pleadings (\$50.00)
- ☐ Motion to Dismiss, or in the Alternative  
Summary Judgment (\$50.00)
- Renewed Dispositive Motion (Summary  
Judgment, Judgment on the Pleadings, or other  
Dispositive Motion not pursuant to Rule 12(b)) (\$50.00)
- ☐ Summary Judgment pursuant to Rule 56 (\$50.00)
- ☐ Motion to Intervene (\$297.00)
- ☐ Other \_\_\_\_\_  
pursuant to Rule \_\_\_\_\_ (\$50.00)

\*Motion fees are enumerated in §12-19-71(a). Fees  
pursuant to Local Act are not included. Please contact the  
Clerk of the Court regarding applicable local fees.

☐ Local Court Costs \$ 0 \_\_\_\_\_

**Motions Not Requiring Fee**

- ☐ Add Party
- ☐ Amend
- ☐ Change of Venue/Transfer
- ☐ Compel
- ☐ Consolidation
- ☐ Continue
- ☐ Deposition
- ☐ Designate a Mediator
- ☐ Judgment as a Matter of Law (during Trial)
- ☐ Disburse Funds
- ☐ Extension of Time
- ☐ In Limine
- ☐ Joinder
- ☐ More Definite Statement
- ☐ Motion to Dismiss pursuant to Rule 12(b)
- ☐ New Trial
- ☐ Objection of Exemptions Claimed
- ☐ Pendente Lite
- ☒ Plaintiff's Motion to Dismiss
- ☐ Preliminary Injunction
- ☐ Protective Order
- ☐ Quash
- ☐ Release from Stay of Execution
- ☐ Sanctions
- ☐ Sever
- ☐ Special Practice in Alabama
- ☐ Stay
- ☐ Strike
- ☐ Supplement to Pending Motion
- ☐ Vacate or Modify
- ☐ Withdraw
- ☐ Other \_\_\_\_\_  
pursuant to Rule \_\_\_\_\_ (Subject to Filing Fee)

Check here if you have filed or are filing contemporaneously  
with this motion an Affidavit of Substantial Hardship or if you  
are filing on behalf of an agency or department of the State,  
county, or municipal government. (Pursuant to §6-5-1 Code  
of Alabama (1975), governmental entities are exempt from  
prepayment of filing fees) ☐

Date:  
9/4/2020 2:26:27 PM

Signature of Attorney or Party  
/s/ KENNETH D HAMPTON

\*This Cover Sheet must be completed and submitted to the Clerk of Court upon the filing of any motion. Each motion should contain a separate Cover Sheet.

\*\*Motions titled 'Motion to Dismiss' that are not pursuant to Rule 12(b) and are in fact Motions for Summary Judgments are subject to filing fee.



**IN THE CIRCUIT COURT FOR THE TWENTY-THIRD  
JUDICIAL CIRCUIT OF MADISON COUNTY, ALABAMA**

**LEWIS DECARLO,**

**Plaintiff,**

**v.**

**RELIANCE STANDARD LIFE  
INSURANCE COMPANY, MATRIX  
ABSENCE MANAGEMENT, INC., AND  
DOLGENCORP, LLC,**

**Defendants.**

**Civil Action No: CV-2020-901118.00**

**STIPULATION OF DISMISSAL OF DEFENDANTS MATRIX ABSENCE  
MANAGEMENT, INC. AND DOLGENCORP, LLC**

Pursuant to Rule 41(a)(1), Plaintiff voluntarily dismisses Defendants Matrix Absence Management, Inc. and Dolgencorp, LLC without prejudice, with each party bearing its own attorneys' fees and costs.

This Stipulation of Dismissal is effective against only Matrix Absence Management, Inc. and Dolgencorp, LLC, and Plaintiff continues to pursue claims against Reliance Standard Life Insurance Company. Further, Reliance Standard Life Insurance Company has stipulated that it will not use this dismissal of Matrix Absence Management, Inc. or Dolgencorp, LLC as a defense to Plaintiff's claim for long term disability benefits in this lawsuit.



Respectfully submitted this the 4th day of September, 2020.

*s/ Kenneth D Hampton*

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Attorney for Plaintiff  
Lewis DeCarlo

**OF COUNSEL:**

Kenneth D. Hampton  
2004 Poole Drive, Suite A  
Huntsville, AL 35810

**CERTIFICATE OF SERVICE**

I certify that I served the foregoing upon the following counsel of record via certified mail on this the 4th day of September, 2020:

Reliance Standard Life Insurance Company  
c/o CT Corporation System, Registered Agent  
2 North Jackson Street, Suite 605  
Montgomery, AL 36104

Matrix Absence Management, Inc.  
c/o CT Corporation System, Registered Agent  
2 North Jackson Street, Suite 605  
Montgomery, AL 36104

Dolgencorp, LLC  
c/o Corporation Service Company, Registered Agent  
641 South Lawrence Street  
Montgomery, AL 36104

*s/ Kenneth D Hampton*

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Of Counsel